

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re LIBOR-Based Financial Instruments Antitrust Litigation	MDL No. 2262
This Document Relates To:	Master File No. 1:11-md-02262-NRB ECF Case
Amabile et al. v. Bank of Am. Corp. et al.	No. 13-cv-1700

**DECLARATION OF EDUARDO RESTANI IN OPPOSITION TO DEFENDANTS'
MOTION TO DISMISS DIRECT ACTION CLAIMS COVERED BY PRIOR RULINGS**

Eduardo Restani declares as follows pursuant to 28 U.S.C. § 1746:

1. I submit this declaration in support of the *Amabile* plaintiffs' ("plaintiffs") opposition to Defendants' Prior Rulings Brief with regard to when inquiry notice can be said to have been triggered for purposes of the Commodity Exchange Act.
2. I have been trading Eurodollar futures for about 20 years. Eurodollar futures trading is now predominantly traded electronically, though they are still traded on the floor of the CME. Much of my career was spent on that trading floor, and I was there during the relevant time of the allegations contained in the complaint.
3. As a trader, I always relied on the CME, which has an active market regulating department, to make sure any alleged market improprieties are corrected. The CME's internal regulator, in my view, confirms its products are priced and settled accurately, not artificially. The CME can issue fines, make rulings, and expel members. In my time on the trading floor, I am aware of the CME investigating into issues of alleged wrongdoing.

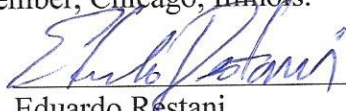
4. Accordingly, during the time that certain news reports concerning Libor were published, specifically in the spring of 2008, we relied on the CME's market regulation department to make the necessary inquiries into those allegations to determine their merit, if any.

5. Given the absence of any changes to the procedures concerning Eurodollar futures when news articles in 2008 discussed Libor, and given the absence of fines or members expulsion that I knew about, we reasonably concluded that Eurodollar futures and options contracts were priced accurately, not artificially.

6. Though various banks have reached settlement agreements for their price fixing conduct, we did not understand then that we were being injured by price fixing or that there was a reasonable probability of price fixing. We attributed the erratic swings in Libor to chaotic economic times.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8th day of December, Chicago, Illinois.


Eduardo Restani